



**EXPEDITED PROCEDURE  
RESPONSE AFTER FINAL  
UNDER 37 C.F.R. §1.116  
ART UNIT: 1635**

Attorney Docket No: C1039.70048US00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Krieg et al.  
Serial No: 09/818,918  
Confirmation No.: 4953  
Filed: March 27, 2001  
For: IMMUNOSTIMULATORY NUCLEIC ACID MOLECULES

Examiner: Jane Zara  
Art Unit: 1635

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AF Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 17th day of May, 2004.

Alan W. Steele, M.D., Ph.D., Reg. No. 45,128

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**NOTICE OF APPEAL  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated December 17, 2003, rejecting claims 1-18.

The Appeal Fee of \$330.00 as set forth in 37 C.F.R. 1.17(b) is enclosed. If the fee is insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825.

Respectfully submitted,  
Krieg et al., *Applicant*

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By:

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